



#112/
Reconsideration
12-18-02
GJ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

JOHANNES-ALBERT MIEDEN

Serial No.: 09/763,356

Art Unit: 3634

Filed: February 21, 2001

Examiner: A. Chin Shue

For: SCAFFOLD COUPLING ELEMENT WITH A SECURE-SITTING HEAD BOLT

RESPONSE

To the Director of Patents and Trademarks

Sir:

In response to the office action dated September 10, 2002,
kindly consider the following:

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REMARKS

The office action rejections are thoroughly confusing.

The Examiner had previously made a species election requirement to which Applicant's responded on August 2, 2002, electing Figure 2 and claims 20-34.

The Examiner's latest office action rejects claims 20-39 under 35 U.S.C. 112, first and second paragraphs (see page 2 of the office action) and at the same time makes the species election final (see page 4), i.e., that the Examiner will not withdraw the requirement. Applicant is therefore confused as to whether claims 35-39 are withdrawn or not withdrawn given the